

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, ET AL.

v.

GOOGLE LLC

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CIVIL NO. 4:20-CV-957-SDJ

ORDER OF SPECIAL MASTER

By Orders of the Court dated January 26, 2024 (Dkt. #213) and February 2, 2024 (Dkt. #218), the undersigned was appointed Special Master to address discovery issues and disputes. Under the provisions of those Orders, the Special Master held a status conference with the Plaintiff States (the “States”) and Defendant Google LLC (“Google”) via remote teleconference on February 8, 2024 to address the conduct of the Special Master proceedings, including setting dates for future hearings. This order provides for the procedure of submission of disputes by the parties and hearing of such disputes by the Special Master.

1. Hearings Regarding Discovery Disputes

As provided in the Court’s Order Appointing Special Master, the Special Master shall conduct hearings approximately twice a month. (Dkt. #213 at 10). The next hearing shall be held on **Thursday, February 22, 2024, at 10:00 a.m. Central Time**, via Zoom teleconference. Future hearings will be set by further order(s) of the Special Master. The hearings shall be held on the record, with a court reporter agreed to and provided for by the States and Google transcribing the proceedings. Counsel for each party shall attend the hearings and must be prepared to address any disputes

submitted to the Special Master in advance of the hearing. The Special Master does not anticipate that each hearing will continue for more than two hours.

2. Briefing Schedule

Prior to each hearing, the parties will be permitted to submit pending discovery disputes to the Special Master, including disputes regarding (i) privilege logs, (ii) document productions, (iii) depositions, and (iv) other issues. The States and Google, respectively, may each file no later than **seven (7) business days before the hearing date at 5:00 p.m. Central** an opening brief not to exceed **ten (10) pages**, exclusive of exhibits and attachments. The parties will be permitted to file response briefs not later than **four (4) business days before the hearing date at 5:00 p.m. Central**, not to exceed **ten (10) pages**, exclusive of exhibits and attachments. The parties' briefs shall be styled and formatted similarly to **motions**. Prior to submitting opening briefs, the parties must comply with Local Rule CV-7(h)'s meet-and-confer requirements.

3. Joint Status Report

The parties are ordered to submit to the Special Master, no later than **12:00 p.m. Central on the day before a hearing**, a joint status report addressing updates regarding the narrowing of disputes submitted to the Special Master, including any disputes rendered moot or otherwise resolved by agreement of the parties, following further good faith efforts by the parties to meet and confer in advance of the hearing.

4. Submission of Filings to Special Master

The Court ordered the parties to file on the docket all papers submitted to the Special Master. (Dkt. #213 at 11). The parties need not further submit their papers to the Special Master using other means, unless such filings are under seal, in which

case the parties must serve sealed filings on the Special Master through email as provided by Local Rule CV-5(a)(7), or other orders entered in this action.

Signed this 9th day of February, 2024.



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Special Master
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order of Special Master was filed electronically in compliance with Local Rule CV-5(a) on this 9th day of February 2024. As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).



David T. Moran